

Message Text

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ACTION DLOS-07

INFO OCT-01 ARA-16 ISO-00 AF-10 EA-11 EUR-25 NEA-14 RSC-01

CG-00 CIAE-00 DODE-00 PM-07 H-03 INR-11 L-03 NSAE-00

NSC-07 PA-04 PRS-01 SP-03 SS-20 USIA-15 FEA-02 CEQ-02

COA-02 COME-00 EB-11 EPA-04 IO-14 NSF-04 SCI-06

ACDA-19 AEC-11 AGR-20 DOTE-00 FMC-04 INT-08 JUSE-00

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SUBJ: LOS: DAILY REPORT, COMMITTEE II, AUGUST 16, 1974

1. SUMMARY. C-II COMPLETED DISCUSSION O FIRST INFORMAL WORKING PAPERS ON PREFERENTIAL RIGHTS AND CONTINENTAL SHELF. U.S. INTERVENED TO OPPOSE MEXICAN PROPOSAL TO REQUIRE COASTAL STATE CONSENT FOR MILITARY INSTALLATIONS OR DEVICES ON CONTENTAL SHELF. CHAIRMAN OUTLINED METHOD OF WORK FOR SECOND READING OF WORKING PAPER ALTENATIVE TEXTS. END SUMMARY.

2. E.E.C. DRAFT ARTICLES ON PREFERENTIAL RIGHTS WERE MAIN FOCUS OF DISCUSSION ON FIRST READING OF ITEM 7. CERTAIN CO-SPONSORS (FRANCE, F.R.G., IRELAND, BELGIUM) AND JAPAN URGED INCLUSION OF VARIOUS ASPECTS OF THEIR DRAFT ARTICLES IN PAPER, INCLUDING PROVISIONS ON DISPUTE SETTLEMENT FOR FISHERIES.

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3. IN CONSIDERATION OF WORKING PAPER 3, REVISION 1 (CONTINENTAL SHELF), MEXICO, WITH SUPPORT OF 30 CO-SPONSORS, URGED THAT ITS PROPOSAL IN A/CONF.62/C.2/L/42/REV. 1 BE REFLECTED IN WORKING PAPER. ARTICLE IN PROPOSAL READS: QUOTE NO STATE SHALL BE ENTITLED TO CONSTRUCT, MAINTAIN, DEPLOY OR OPERATE ON OR OVER THE CONTINENTAL SHELF OF ANOTHER STATE ANY MILITARY INSTALLATIONS OR DEVICES OR ANY OTHER INSTALLATIONS FOR WHATEVER PURPOSES WITHOUT THE CONSENT OF THE COASTAL STATE. UNQUOTE MEXICO ARGUED THAT QUESTION WAS NOT ONE PURELY OF DISARMAMENT AND POINTED OUT THAT UNDER MEXICO'S LAW CONTINENTAL SHELF WAS PART OF MEXICAN TERRITORY. HOWEVER, REP. DID NOTE THAT PROPOSAL WAS LIMITED TO SHELF AND DID NOT APPLY TO WATERS ABOVE SHELF. U.K. POINTED OUT MEXICAN PROPOSAL RAISED QUESTION OF NON-RESOURCE USES OF SHELF AND DISARMAMENT WHICH WOULD DIVERT C-II EFFORTS. U.S. REP. STEVENSON POINTED OUT THAT U.S. SHARED UNDERLYING OBJECTIVES OF CO-SPONSORS TO PREVENT ARMS RACE ON SEABED. ARTICLE V OF TREATY PROHIBITING EMPLOYMENT OF WEAPONS OF MASS DISTRIBUTION CONTAINED SPECIFIC LANGUAGE TO THIS EFFECT AND TREATY WILL BE SUBJECT TO REVIEW SHORTLY AFTER LOS TREATY CONCLUDED. LOS CONFERENCE IS NOT APPROPRIATE PLACE TO DEAL WITH ARMS CONTROL QUESTIONS WHICH ARE INTERLOCKED AND WHICH REQUIRE SPECIAL EXPERTISE. ACCORDINGLY, U.S. BELIEVED EFFORTS WOULD BE DIVERTED AND OUR WORK PREJUDICED IF IC-II TOO AMBITIOUS. IF DISARMAMENT QUESTIONS WERE OPENED UP IN THIS AREA, CONFERENCE COULD BE OPENING UP PANDORA'S BOX FOR OTHER AREAS. U.S. DID, HOWEVER, SHARE MEXICAN VIEW ON NEED TO PREVENT INTERFERENCE WITH COASTAL STATE RIGHTS AND REFERRED TO U.S. LANGUAGE IN DRAFT ARTICLES ON ECONOMIC ZONE. U.S. THEN SUGGESTED SERIES OF TECHNICAL CHANGES TO WORKING PAPER 3, REV. 1 TO ENSURE U.S. DRAFT ARTICLES WERE FULLY REFLECTED. (TEXT POUCH DEPT.) F.R.G. AND TURKEY GAVE STATEMENTS STRONGLY SUPPORTIVE OF U.S. VIEW ON MEXICAN PROPOSAL.

4. JAPAN SUPPORTED BY JAMAICA STRONGLY URGED THAT ALTERNATIVE BE REFLECTED IN WORKING PAPER THAT CONTINENTAL SHELF BE LIMITED TO 200-MILES AND PROPOSED TREATY LANGUAGE TO THAT EFFECT. FRANCE, CHILE, CANADA, IRA, MALTA AND U.K. RAISED QUESTIONS ABOUT FORMULATION OF CONTINENTAL SHELF REVENUE SHARING ALTERNATIVES.

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5. CHAIRMAN PROPOSED THAT C-II MOVE INTO SECOND PHASE OF ITS WORK. PRIORITY WOULD BE GIVEN TO COMPLETION OF WORKING PAPER REVISION ON ALL ITEMS WITHIN C-II MANDATE. REMAINING WORKING PAPERS WOULD BE AVAILABLE NEXT WEEK. FOR SECOND READING PHASE, CHAIRMAN SUGGESTED OPEN-ENDED, INFORMAL WORKING GROUPS TO CONSIDER RE-ORDERING OF LIST ITEMS SO THAT ITEMS 2, 4, 16 AND 3 (AS WELL AS 17, 18 AND 19 AS RELATED) WOULD BE CONSIDERED

FIRST GROUP, ITEMS 5, 6, 7, 10 AND 11 (AS WELL AS 17, 18 AND 19 AS RELATED) WOULD BE CONSIDERED AS SECOND GROUP AND ITEMS 8 AND 24 (AS WELL AS 18 AS RELATED) WOULD BE CONSIDERED AS THIRD GROUP. MAIN OBJECTIVE OF SECOND READING WOULD BE TO NARROW DIFFERENCES AND REDUCE ALTERNATIVES, PERHAPS BY SMALL GROUP MEETINGS. U.S. REP. STEVENSON SUGGESTED THAT SOME REFERENCE BE MADE TO DISPUTE SETTLEMENT SO THAT THIS IMPORTANT SUBJECT WOULD BE KEPT IN VIEW; CHAIRMAN SUPPORTED U.S. REP. AND AGREED TO PUT ISSUE TO BUREAU.

6. C-II WILL PROBABLY BEGIN WITH FORMAL SESSION ON AUGUST 16 TO HEAR INTRODUCTION OF NEW PROPOSALS AND THEN START INFORMAL WORK ON SECOND READING OF WORKING PAPER ON TERRITORIAL SEA. WORKING PAPERS ON HIGH SEAS AND CONTIGUOUS ZONE ALSO EXPECTED ON AUGUST 16.
STEVENSON

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